REMARKS

The Examiner is thanked for the thorough examination of the present application. In view of the arguments presented below, it is respectfully that all of the claims are patentable.

I. The Claimed Invention

As recited in independent Claim 1, for example, the present invention is directed to a mobile wireless cellular communications device that includes a wireless cellular transceiver and a controller for cooperating therewith for receiving text messages from a wireless communications network, and a headset output connected to the controller. The controller is for switching between a normal message mode and a hands-free audio message mode based upon a connection between the headset output and a headset, and when in the audio message mode, outputting at least one audio message comprising speech generated from at least one of the received text messages via the headset output. Moreover, the controller is settable to an override mode in which the controller remains in the audio message mode irrespective of a connection between the headset output and the headset.

Independent Claim 9 is directed to a related cellular communications system, independent Claim 16 is directed to a related method for using a mobile wireless cellular communications device, and independent Claim 20 is directed to a related computer-readable medium.

II. The Claims Are Patentable

The Examiner rejected independent Claims 1, 9, 16, and 20 under 35 U.S.C. §103(a) based upon U.S. Patent No. 6,181,956 to Koskan in view of U.S. Patent No. 7,027,842 to Zhang et al., in still further view of U.S. Pat. Pub. No. 2002/0034956 to Mekuria. Koskan discloses a communications device (i.e., cell phone) to be worn by a user that is coupled to an earpiece by a communication link. The communications device is operable in first and second operating modes. When in the first operating mode, the device receives and presents text-based messages in human readable form to the user via a user interface. When in the second operating mode, the received message is converted to audible form using a text-to-speech synthesizer and presented to the user via the earpiece. In one embodiment, the base device automatically switches to the second operating mode based upon a characteristic of the received message, such as a keyword present in the received message or an indication of the message type. See, e.g., col. 1, line 62 through col. 2, line 6 and col. 2, line 64 through col. 3, line 15 of Koskan.

Zhang et al. is directed to an apparatus and method for providing hands-free operation of a device. A hands-free adapter is provided that communicates with a device and a headset. The hands-free adapter allows a user to use voice commands so that the user does not have to handle the device. The hands-free adapter receives voice commands from the headset

and translates the voice commands to commands recognized by the device. The hands-free adapter also monitors the device to detect device events and provides notice of the events to the user via the headset. See, e.g., col. 1, line 53 through col. 3, line 31 of Zhang et al.

While the Examiner correctly acknowledges that Koskan and Zhang et al. fail to properly provide the claimed recitation of selectively setting the mobile wireless communications device (or controller) to an override mode in which the mobile wireless communications device (or controller) remains in the audio message mode irrespective of a connection between the headset output and the headset, the Examiner contends that Mekuria somehow properly provides this critical deficiency. This reference discloses a mobile terminal which includes a receiver for receiving text messages over an RF channel. The mobile terminal also includes a text-to-speech (TTS) converter that converts the transmitted text messages to an audible form. See, e.g., paragraphs 0008-0009 of Mekuria.

In particular, the Examiner points to paragraph 0029 of Mekuria as support for the above-noted contention. This paragraph is reproduced below for convenience of reference:

> "**[0029]** Switch **52** operates to selectively connect the decoded data to a low complexity text-to-speech (LC-TTS) converter **54** or to a speech decoder **53**. Under this arrangement, decoded data comprising text data are connected to the LC-TTS converter **54**, and data comprising

> voice data are connected to the speech decoder **53**. The output of the LC-TTS converter **54**, which represents converted text to speech data is applied to a Digital-to-Analog converter (DAC) **51**. Analog signals representing the text data as provided by the DAC **51** are made audible by a speaker **60**. Alternatively, the speech decoder **53** decodes the received voice pattern using one of a variety of supported speech decoding schemes. After decoding, the speech decoder **53** applies an analog speech signal to the speaker through the DAC **51**."

The Examiner contends that this paragraph teaches switching to an "audio mode," and that this somehow therefore provides the claimed override mode. However, Applicants respectfully submit that this is a mischaracterization of the teachings of Mekuria. What Mekuria does teach is that when text data is output by the channel decoder/de-interleaver **50**, this text data is switched to the LC-TTS converter **54** by the switch **52**. Conversely, when voice data is output by the channel decoder/de-interleaver **50**, this voice data is switched to the speech decoder **53** by the switch **52**. In either case, the outputs of the LC-TTS converter **54** and speech decoder **53** are provided to the DAC **51** to produce audio signals that are output by a common speaker **60**. See, e.g., FIG. 2 of Mekuria, which is reproduced below.

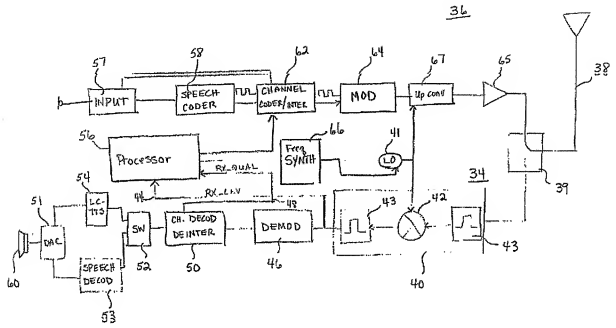

FIG. 2 of Mekuria

Stated alternatively, Mekuria teaches that switching is performed based upon whether the received data is text or voice data, and this has nothing to do with whether there is a connection between a headset output of the device and a headset. Accordingly, Mekuria does not provide the claimed override mode for this reason alone, as no switching (and thus the ability to override such switching) occurs based upon a headset connection.

Moreover, Mekuria does not teach or otherwise provide that the switch **52** is somehow settable to remain in one or the other of its two audio output modes (i.e., audio text output or

audio speech output). Rather, switching between the two audio output modes automatically occurs when the type of input data changes, with no option to override this switching. Indeed, to do so would render the Mekuria device unsatisfactory for its intended purpose, namely providing audio voice output when the input is voice data, and providing converted audio text output when the input is text data.

Accordingly, the proposed combination of references simply fails to properly provide switching between a normal message mode and a hands-free audio message mode based upon a headset connection, and also setting the mobile wireless communications device (or controller) to an override mode in which the mobile wireless communications device (or controller) remains in the audio message mode irrespective of a connection between the headset output and the headset. To find otherwise would require the impermissible use of the claimed invention, in hindsight, as a road map or template to piece together the disjoint teachings of the prior art.

Accordingly, it is respectfully submitted that independent Claims 1, 9, 16, and 20 are patentable over the prior art. Their respective dependent claims, which recite still further distinguishing features, are also patentable over the prior art and require no further discussion herein.

CONCLUSIONS

In view of the foregoing, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities remain to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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